



REGULAR MEETING
OF THE
BURBANK CITY COUNCIL
AUGUST 15, 2012

CALL TO ORDER The meeting of August 15, 2012, was called to order at 7:30 p.m. by Mayor Klein in the Council Chambers, 6530 W. 79th Street, Burbank, IL.

ROLL CALL Roll call indicated the following Council members present: Alderman Foy, Looney, Szymczak, Grider, Piznarski, Pacella and Pyle. Also present: Mayor Klein, Clerk Roach, Treasurer Viverito and Attorney Vince Cainkar.

The meeting opened with the pledge of allegiance to the flag.

JOURNAL Motion made by Alderman Grider seconded by Alderman Looney to approve the minutes of July 18, 2012 as presented was unanimously approved by voice vote and so declared by the Chair.

CURRENT BILLS Motion made by Alderman Grider seconded by Alderman Szymczak to approve the current list of bills. A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Looney, Pacella, Pyle, Szymczak, Foy, Piznarski and Grider.

DEPT. OF ZONING Alderman Foy made the motion seconded by Alderman Pacella to approve **Ordinance No. 13-8-12 amending Section 4-293 of Chapter 4, Building and Structures, of the Burbank Municipal Code, by adopting the 2012 International Property Maintenance Code.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Grider, Foy, Szymczak, Piznarski Pyle, Pacella and Looney.

DEPT. OF FINANCE Alderman Grider made the motion seconded by Alderman Szymczak to approve **Ordinance No. 14-8-12 levying taxes for general and corporate purposes for the fiscal year beginning January 1, 2012 and ending December 31, 2012 for the City of Burbank.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Pyle, Piznarski, Foy, Grider, Looney, Szymczak and Pacella.

Alderman Grider made the motion seconded by Alderman Looney to approve **Ordinance No. 15-8-12 amending Chapter 2, Administration, by changing Section 2-78, Compensation-Elected Officials, of the Code of Ordinances of the City of Burbank.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Foy, Szymczak, Grider, Looney, Pacella, Piznarski and Pyle.

Alderman Grider made the motion seconded by Alderman Pacella to approve **Ordinance No. 17-8-12 amending Section 3-18, Salary of the Local Liquor Control Commissioner, of Chapter 3, Alcoholic Beverages of the Municipal Code of the City of Burbank.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion

carried. Voting Aye: Alderman Pacella, Grider, Piznarski, Looney, Pyle, Szymczak and Foy.

**CITY
COUNCIL
MEETING**

**AUGUST 15, 2012
PAGE TWO**

**DEPT. OF
ADMINIS-
TRATION**

Mayor Klein asked for a motion to approve **Ordinance No. 16-8-12 amending Chapter 2, Administration, by changing Section 2-6, Wards Established, of the Municipal Code of the City of Burbank.** Alderman Szymczak made the motion seconded by Alderman Pyle to approve **Ordinance No. 16-8-12 as outlined above.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Grider, Foy, Szymczak, Piznarski, Pyle, Pacella and Looney.

**NEW
BUSINESS**

Alderman Foy made the motion seconded by Alderman Szymczak for permission to advertise for bids – 2013 MFT Maintenance Material Bulk Rock Salt and to approve **Resolution No. 8-1-12 2013 MFT Maintenance Materials – Bulk Rock \$180,000.00** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Grider, Foy, Szymczak, Piznarski, Pyle, Pacella and Looney.

Alderman Foy made the motion seconded by Alderman Piznarski to authorize the attorney to prepare an ordinance for #12-07-1 **Kristen Phillips, 6531 W. 85th Street, Burbank, Illinois requesting a variation to install a 6' privacy fence on front yard side set back.** **Approved by** **Zoning.** A roll call vote indicated 7 Ayes and 0 Nays. The Chair declared the motion carried. Voting Aye: Alderman Looney, Pacella, Pyle, Szymczak, Foy, Piznarski and Grider.

**CITIZEN'S
REPORT**

The Chair recognized Charles Bandusky of 8548 S. Laverne who wanted an explanation of Ordinance No. 15-8-12 and Ordinance 17-8-12. The Chair explained that we must do this by law for Ordinance 15-8-12 which is compensation for the next four years for whoever gets elected and it is 2%. The same applies for 17-8-12 which is compensation for the local liquor control commissioner for the next four years.

The Chair then recognized Dawn Lawlor of 6947 W. 84th Street who said she has been a resident for 40 years and is concerned with school starting next week and this gang situation with the shootings which she feels most of the parents that are here tonight are worried about also.

Mayor Klein said he has been here for 45 years and said he is sure the majority of people that are here are present for that reason also. He said he is very concerned and hasn't ever seen this kind of activity since he has been here. He told the audience that if we take a look at the 5th district which is the court system that we are in, there have been 15 separate shooting incidents in the last month. He said he is sorry that it is happening in Burbank. He then told everyone that we have a tactical force on the street from approximately 7:00 in the evening till 3:00 in the morning. Some of these young men standing here against the wall are part of this tactical force and what they are doing are using everything they can that is at their disposal. He said we have a car that is totally modified from a \$30,000 grant. It takes the license numbers of all the

**CITY
COUNCIL
MEETING

CITIZEN'S
REPORT
(Contd.)**

cars that it passes by so if someone comes to this city we know they were here. It helps us if there is some kind of altercation so we can check back to that data base and find out if that car has been around or if it is the car of a gang banger the police can go to the area and see if that car is still there and possibly make an arrest if there is something illegal happening.

**AUGUST 15, 2012
PAGE THREE**

He then said we have a very keen awareness of what is happening in your city. He said no one is more frustrated than your police chief and myself, we have spent so much time together we might as well be married. Some of the tactical officers here have made six search warrants, seven arrests, seizure of guns, drugs and money. Some of these men have received honorable mention for taking off the street seven offenders for narcotics, related felonies including class ex felonies, seven separate offenders for narcotic related felonies including several class ex felonies recovered with no search warrants for over 3 ounces of cocaine, 1 ounce of heroin, 1 ounce of cannibus, several articles of drug paraphanelia, four firearms and over \$7,000 in U.S. currency. We are trying to hit them where it hurts the most in their pocketbooks.

Mayor Klein said we know there are approximately 9 to 10 houses in Burbank that house gang bangers. Unfortunately you cannot just go in there without probable cause. He told them that he reads "Face Book" like they do and he shares their frustration. You have to follow the law.

Unfortunately these gang bangers have better protection from the law than your good citizen. There are approximately nine to ten out of 9500 homes where we know there are gang bangers. One of the biggest problems is that the parents of these gang bangers do not take an active part in raising their "children". At the shooting that happened at 86th and

Narragansett, four people were hit and the mother was upstairs sleeping.

while a party was going on in her backyard at 3:00 a.m. with drinking going on. The mother was locked up for keeping a disorderly house and for contributing to the delinquency of minors. They all paid a fine under law. We are doing everything we can to let them know this city means business.

Mayor Klein then said after this meeting is over you can talk to any of these officers and they will give you their private numbers tonight. All too often some of our citizens do not want to call in and say what they have seen because they are afraid of retribution. These guys will give you their private numbers tonight and you do not have to identify yourself just tell them what you have seen and we will have squad cars out there before you hang up the phone. He then told them to take advantage of the officers that are here tonight.

The next citizen the Mayor recognized was Anthony Quesada of 6309 W. 84th Street who said he would like to applaud the officers for the good job they are doing and everyone applauded.

The next citizen the Mayor recognized was Elizabeth Cericola of 7722 S. Mayfield who said she was the most concerned that the gang bangers should know that we are aware of them and is also afraid that

**CITY
COUNCIL
MEETING

CITIZEN'S
REPORT
(Contd.)**

these 19 year old gang members are not good shots and then an innocent bystander could get hurt.

Mayor Klein said he agreed with her and said the officers here are better shooters than the gang bangers and if they get into a confrontation with them they will show you how good they are. He said his greatest fear is what happened in Chicago where an innocent child got hit by a stray bullet. He said the gang bangers are going to feel our enforcement in the next couple of weeks like they never saw before.

**AUGUST 15, 2012
PAGE FOUR**

Mayor Klein then recognized Diane Erin of 8056 McVicker who said she lives across the street from a gang banger and feels that as citizens they should know who they are and where they live. She wants pictures of them and feels the citizens should have their own meetings so they would be more aware. He said you cannot violate their rights. He said he was in court the other day and he said he would be the worst judge in the world because he would put all the gang bangers in jail. She then asked again why you cannot give us their addresses. She wanted to know why they are not on the police blotter. Ms. Erin said they get no news and have to rely on Facebook, email, texting and Ms. Lawlor to know what is happening. Mayor Klein related a celebration at St. Albert the Great years ago and there was a little girl who had her head held down because on the police blotter her father had got arrested for a d.u.i. and the other children were very unkind to her. He said from that point forward we started just posting items on safety issues. It does come out on the police blotter and in the newspaper, especially robberies, etc. Ms. Erin said she has spoken to him on the phone she said she has had three shootings in front of her house. She said something has to be done. He then said we have to get rid of some of these judges who are too soft. She said tell us who to vote for and he told her that she can find ratings of judges by various agencies.

The next citizen to speak was Julie Olszewski of 8241 S. Lamon who was concerned with when her nine year old daughter comes out for recess as she is scared and this gang banger is walking around all day long. Mayor Klein said the incident she is referring to happened at 10:00 at night. She said she works at Reavis and knows a lot of the police officers and they are great. He said we tried to warn people with the reverse 911 call and some people were not happy with that as it caused a lot of anxiety. He said the incident that you were talking about we know who the person is. We also have officers in Reavis high school and Liberty junior high who find a lot of information from the students. We also have informants in the area that we keep confidential.

Mayor Klein recognized Karen Mellenthin of 6354 W. 85th Street who said she lives close to where the shooting happened the other night at 3:30 in the morning. She said the last time shots came from that house

**CITY
COUNCIL
MEETING

CITIZEN'S
REPORT
(Contd.)**

was at 1:15 in the afternoon and she is concerned with the safety of the students, especially at Tobin and Byrd school. She also said that she understands that we don't want to see a six year old crying, but we also don't want to see parents at a graduation crying because their six year old was shot and killed in crossfire. The audience applauded and Mayor Klein said he wished the applause would do it and he said he would be

applauding with them. He said you are saying the same thing I am saying which is that those areas which we know are the hotbeds and I have identified they are at least nine or ten.

He then told the audience to make sure they talk to the officers here and they can give you a lot more details than he can. Karen Mellenthin then said how can they do a good job when they only have three officers on the midnight shift. Mayor Klein said that is not true. The Mayor asked Chief Radowicz if he would like to elaborate and he said no comment. She then asked why and the Mayor told her because it will get in the newspaper and they will know how many are on the street. We don't want them to know. She then commented that you are going to learn more from our children than any other source. She then asked if we have

**AUGUST 15, 2012
PAGE FIVE**

a tip line or anything related to gang activity which we can call in to. Mayor Klein then told her she can call 911 which goes to Oak Lawn and then bounces back to Burbank or she can after the meeting is over talk to any of these tactical officers and they will give her their cell phone numbers and she doesn't even have to leave her name just relay some information to them. Ms. Mellenthin then asked why the police can't pick up these gang members that are walking the streets all day. The Mayor said to her and what is the charge, walking down the street? Mayor Klein said I am not arguing with you, but I am arguing the law. We cannot just pick someone up for just walking down the street. Believe me we have been giving tickets out just to let them know we are there. He then went on to talk about Chicago making a big deal about I bonds. The City of Burbank has been making them pay bond money since 1982. The same thing with drugs the City of Chicago says just write them a ticket, not Burbank, you get locked up.

The Chair recognizes Mr Leroy Paluch 8552 Nashville. He addressed himself to the Mayor saying you are living up to the letter of the law but you have to take it one step further. He said these are extraordinary times and you have to do something extraordinary to fight these people. If things get back to normal, you can go back to ordinary times.

He suggested that before they come into the City of Burbank they have to be told that if they get into trouble, you have to kick them out. If you

have to go to Springfield or the politicians you must put an ordinance like this in place. People are not going to stand for this and if we have to trample on somebody's individual rights so be it. Mayor Klein says it is

ironic that you bring this up because Chief Radowicz and myself were talking about involving the state legislature to see if there were some laws that would tighten it up.

**CITY
COUNCIL
MEETING

CITIZEN'S
REPORT
(Contd.)**

Mayor Klein then went on to say with some of these gang bangers it is almost like having a badge to be identified as a gang banger. The Southtown newspaper carried the story about the 86th and Narragansett. shooting. The young man that was there was quoted as saying this gang is my family. He saw the gang as his family more than his real family. The Mayor then said it goes back to parental guidance, in this case lack of parental guidance. There is no way in hell and I am sure that is true of all of you that I would have allowed an eighteen year old punk to drink in my yard at 3:00 in the morning. He would have been at Lawn Funeral home. Mr. Paluch said let him wear the badge and as a parent if you can't control your kids, the family is gone. Mayor Klein thanked him for his remarks.

The Chair then recognized Dawn Majeski of 7807 Parkside who wanted to know why we couldn't put fliers in our windows like "we are watching you" similar to the posters we put in our windows from the City of Burbank at Halloween. She said it could say that we are reporting all gang bangers activities to the police. Mayor Klein replied that he cannot do that under law. Ms. Majeski said we cannot do something like we call the police? He said you are talking about a neighborhood watch and we have these in the area.. He says you can call "911" and you are going to get these phone numbers from the officers that are here tonight. He said any citizen should be the eyes and ears of their community. We have 53 police men and we are graduating four more who presently are at the academy and they are coming on the end of September. We are increasing our police department so they will

**AUGUST 15, 2012
PAGE SIX**

have more time to do a lot more work they have been able to. Mayor Klein then recognized a resident from 80th and Linder who wanted to comment on the shooting in the back yard of 86th and Narragansett and asked why were minors drinking in the back yard. She said how could the parents allow that. Mayor Klein said that is exactly what he said.

Mayor Klein then recognized Julie Michelson of 6226 W. 87th Street who was interested in organizing a town hall meeting. Mayor Klein said he and the Burbank police department would be happy to be involved and he would bring some of the tactical officers to the meeting. He told her just to call him.

Mayor Klein then recognized Trisha Parciak of 79th and Nashville who wanted to know if these gang members are in vacant houses or foreclosed houses. Mayor Klein told her there was a flop house on 79th and Newland and it is boarded up now. They would go there and that would be a safe house for them. We identified it and they are out of there. He said he was talking to the aldermen today and said we have problems in the 1st ward, 6th ward and the 7th ward. He said we know where they are but it is a myriad of houses not just a local place where they all just congregate.

Mayor Klein then recognized Joanna Anders of 6420 W. 86th Street who was concerned that we should have bigger meetings so that the children should know what to look for. She said she was home the day

**CITY
COUNCIL
MEETING
CITIZEN'S
REPORT
(Contd.)**

the shooting happened at 1:30 in the afternoon and there was a 4 hour lockdown. Mayor Klein told her that we have a Burbank officer that teaches in the "Dare graduations". He told the audience that he has attended these graduations in all the grammar schools including St. Albert the Great for the past 21 years. These 5th graders get a good idea of what gang bangers are. They are shown pictures of county jail where gang bangers have been. They are pretty keen but we can certainly have them at meetings.

The Chair recognized Karen Mellenthin who feels that there needs to be an education on gang colors both for some of the students and parents.

Mayor Klein told her that the Reavis School Board has a strict code also on dress and doesn't allow gang colors of any kind to be used...

The Chair recognized Jeff Heiden of 8335 Long Avenue who wanted to know if these officers are getting the support from the City and from their police chief. The officers answered that they absolutely were.

The Chair then recognized Stephanie Padilla of 8205 S Nashville who said she is very concerned about the gun shots. She is afraid for herself and for her grandchildren who live with her. Parents need to watch their children. She asked if these are gang bangers coming in from the city? Mayor Klein said in a lot of cases they are coming from Midway airport area and the southeast side. She said the parents need to be stricter.

**MOTION
TO
ADJOURN**

The Chair recognized Jeff Heiden again who said he knows this has been an issue going on for a long time and he said you mentioned these nine houses. He says if you are employed and your employer doesn't want you any more, he will find a way to get rid of you. He then asked cant you guys get a little creative and find ways of getting rid of them.

**AUGUST 15, 2012
PAGE SEVEN**

Everyone laughed and clapped. Mayor Klein said he is creative but doesn't want to get the City in trouble with a legal suit. He has issues with the people housing them. He told the audience that we arrested the woman who was sleeping and letting the gang bangers drink in her back yard. She was taken out in handcuffs. Mr. Heiden says like they couldn't arrest Al Capone, but they did finally get him on tax evasion. Mayor Klein said they are looking into every avenue and as he mentioned before they have informants who are helping them.

The Chair then recognized Mike Aeron at 8056 McVicker who said there are ordinances about mowing your lawn and where the blight officer gets involved and possibly take them to court. Can't we do this.. Mayor Klein said we will do whatever the law allows us to do.

Mayor Klein invited the audience to stay after the meeting is adjourned and talk to the tactical officers and get their phone numbers. They are here for you so take advantage.

There being no further business to be brought before the City Council, the Chair asked for a motion to adjourn. The motion was made by

**COUNCIL
MEETING**

Alderman Grider seconded by Alderman Foy to adjourn was agreed upon by voice vote and so declared by the Chair.

The meeting was adjourned at 8:20 p.m.

PATRICIA E ROACH, CITY CLERK

APPROVED